

**ELECTIONS TO
JAMMU & KASHMIR
CONSTITUENT ASSEMBLY**

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Elections to Jammu & Kashmir Constituent Assembly

The result of the recent elections to the Kashmir Constituent Assembly has been a decisive victory for the National Conference Party and its policies.

Such a vote of confidence in the Government of National Conference—the party led by Sheikh Abdullah—has had a devastating effect on Pakistan. The very announcement of the coming elections had created resentment and something approaching panic among the Pakistan authorities leading to Press hysteria, “clenched fist” politics, troop movements and finally threats of Holy War. This most recent proof of the confidence of the Kashmir people in the man who has led them since 1931, and in the programme of his party which has always stood for responsible Government and freedom from threats from either inside or outside the State, has further unnerved them. Since their attempts to stop the elections failed, and they could not prevent the people of the State from exercising their democratic rights they are now alleging that the elections were not fair.

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These allegations are patently wrong and unjust. The position is actually very different. After announcing that there would be stiff opposition to the National Conference, Pakistan tried to encourage rival candidates, putting people on their oath to vote for them. These attempts ended in signal failure, and no rival candidate in the Kashmir Valley felt confident enough of popular support to stand the test of the polls. 43 out of 45 candidates, therefore, were elected unopposed; the two opposition candidates also refused to face the battle when they saw that their backing was meagre. Moreover, neither of the Kashmir candidates complained of any restriction on their election campaign. In fact, one of the candidates and his party, having seen the fairness of the opportunities allowed during the election days, later announced that they would dissolve themselves as a political organisation and in the future give full support to the National Conference.

Another comment has been that the elections are another proof of the docility of the Kashmiris. “The docile Kashmiris have followed the habit, formed in centuries of oppression, of submitting to the will of those who have the power.” This, to say the least, is an unkind slander on the character of the Kashmiri people, and is richly belied by their brave freedom struggle during the years 1931-47, when under the leadership of Sheikh Abdullah, they virtually led the Indian States in their struggles against Princely Rule, suffering public flogging, torture, martial law, batoning and even shooting by the State Army. Harassment, imprisonment fines, confiscation of property and other trials were the lot of thousands of Kashmiris during those years. The spontaneous upsurge of popular support when Sheikh Abdullah and his men organised the resistance to the invaders in 1947 is yet another proof. The whole world knows of the undying determination of the

Kashmiri people at that time—of even their women and children—not to submit to the coercion implied by the Pakistan invasion.

A third allegation is that the National Conference is unpopular and the people were not even interested in the elections. This is allied to another allegation that the Kashmiri people are fundamentally not political. In answer to both of these stories, figures and facts of the last twenty years give reply. It will be relevant here to remember that even under the inclement conditions prevailing during the previous autocratic rule, the party of Sheikh Abdullah captured successively all the Muslim seats thrown open to election in the Legislature of the time. As far back as 1934, when elections to the Assembly were held community-wise, and the present leadership was in the Muslim Conference, this party had the distinction of winning the nine seats without a contest. Again in 1938, when there were fresh elections, out of a total number of 21 Muslim seats, they won 19 seats and lost the other two only on technical grounds. In 1946, the Government of the Maharaja swooped down on the National Conference and suppressed all civil liberties, and finally staged farcical elections. These the National Conference boycotted, and called upon the electorate to desist from participating in them. The splendid response to this call can be measured by the result of the elections which showed that not more than 8% of the electorate actually polled their votes.

It clearly follows from this that the simple and truthful explanation of the success of the National Conference candidates in this 1951 election is that they are the most popular, in fact so overwhelmingly popular that no would-be opposition candidate feels he has a chance against them, and will not therefore expose himself to ridicule by standing and getting an absurdly small number of votes.

The secret of this amazing popularity lies in the record of the National Conference which has given twenty years of selfless service to the people of Kashmir, and the utter devotion of the masses in the State to their leader, Sheikh Abdullah, who has led them step by step out of their old unprivileged position, when they were denied even the most elementary civil liberties of freedom of speech and assembly, to the present "New Kashmir" where feudal rights and oppressions have disappeared, and where a popular Government has taken the place of the personal Princely rule that before dictated the destinies of the people.

That pilgrimage to freedom is no small matter; it was followed in all its details by the man-in-the-street and the man-in-the-village year in and year out. The successive imprisonments of their young Lion of Kashmir, as the present Prime Minister is called, were reasons for national mourning; his release always prompted scenes of joy which nobody who has witnessed them will ever forget.

In 1947, Kashmir remained an island of peace and communal brotherhood when the rest of Northern India was in flames. All Kashmir, Muslim, Hindu and Sikh, gives the credit for this to Sheikh Abdullah and his men, who took control when the old civil administration disintegrated with the rapid approach of the raiders. The people

of Kashmir rejected Jinnah's Muslim League and its two-nation theory even before Partition; they proved in the hour of trial when New Kashmir was being born that they were modern, democratic, human, and not to be led away by medieval theories of the citizens of a country being irreconcilably divided because of differences of religion.

It is no wonder then that when Sheikh Abdullah implemented his promises and gave the people the popular Government for which they had suffered so much he should have been so warmly supported by his own people.

The first three years of Sheikh Abdullah's administration have cemented the old ties between him and the people. Its achievements are admittedly outstanding. In spite of inevitable limitations, they have sought to bring about a smooth and peaceful social transformation by giving land to the man who tills it. The peasantry, stupefied by immemorial years of poverty and oppression, has been relieved of absentee landlordism, debt, and other burdens of an outworn feudal system.

Here are a few comments from foreign journalists, who cannot be accused of sympathy for the National Conference :

A Canadian correspondent, Elmore Philpot, writes in the "Vancouver Sun" of 7-4-51 :

"In Kashmir under what is clearly the most progressive administration in all India, the resolute Government of Sheikh Abdullah has already enacted a model and drastic land reform programme".

Margaret Parton of the "New York Herald-Tribune" adds :

"Today, among the many reforms which the National Government of Sheikh Abdullah is trying to initiate, the most successful is a just and peaceful land reformation. . . . one feels that a very real beginning has been made".

And this is what the Special Correspondent of the "London Times" has to say after an extensive tour of the State.

"The fact remains that the National Conference regime is firmly in the saddle. . . . It is hardly fair to stigmatise the present regime as a Police State. . . . The Government allows a lot of latitude to its critics and pro-Pakistan elements are vocal in this city (Srinagar). Foreign correspondents too are given a free hand to go where they like and to write what they choose. . . . the problem of landlordism has been tackled with determination and carried out in stages, starting with the abolition of jagirdari or feudal holdings and ending last July with the decision that owners of landed property should be dispossessed of all but 22½

acres which they were allowed to retain if they cultivated them personally. The new owners have more incentive to work hard and produce more, and on their own admission, they are better off".

Another comment comes from Dennis Warner of the "Daily Telegraph" (29-8-51) under the headlines "Sheikh Abdullah has firm hold on Kashmir" :—

"With the passage of time, the achievements of Sheikh Abdullah's Provisional Government and the effect of these achievements on the people of Kashmir are factors which cannot be ignored or undone. In three and a half years his regime has freed the country from the despotic rule of the Maharaja and won over thousands of peasants by land reform. It has established the nucleus of an educational system. By vigorous prosecution of black marketeers and attention to distribution it has ensured that the people have enough or nearly enough to eat."

In other directions, the present administration has stabilised the economic and political life of the people and is showing real progress in solid nation-building. It is an indisputable fact that, as compared to Pakistan and the rest of India, Kashmir has shown a quicker and more practical transformation from the old life to the new.

This has naturally upset all those elements who live on the exploitation of the common man, and that is why, though they may be in a hopeless minority, some of them are in the nature of things unfavourably disposed towards the present Government. They have attempted in the past to discredit the National Conference and in common with other reactionary elements both inside and outside the State, they repeatedly attempted to put up opposition to it. But the inglorious desertion of the leaders of this group in 1947, in terror of the raids, and their later role as stooges of the Pakistan Government, have disillusioned those who saw the disastrous result of their actions.

The much-advertised opposition in the Jammu Province stems from this root-source. This is natural. The National Conference welcomes the opportunity to fight it back at the polls. Hindu communalism is as deadly an enemy of Kashmir National Conference as are the Muslim communalists. From both, the united Kashmiri people have nothing to fear. Their healthy modern outlook is not to be changed by bogeys of religious fanaticism outdated by world progress and the currents of world thought.

Jammu, being the home of the old autocratic ruling house of Kashmir, was more politically backward than the rest of the State, being dominated by feudal forces and influences. It is as well to remember that when the present Prime Minister of India entered Kashmir in the face of Dogra bayonets in 1946, in order to support Sheikh Abdullah's "Quit Kashmir" movement, it was a group of

Hindu communalists who came up from Jammu to give him the solitary black flag demonstration. It had therefore been easier for remnants of these same groups to foment communal passions there. There is however no doubt that, in the wake of the land reforms and other progressive measures of the Government, the backward economic classes of the State will recognise who are their real friends.

Even in the face of all the irrefutable historical and actual evidence that the National Conference is the only representative organisation of the people of Kashmir, the enemies of the State have not scrupled to use the usual knuckle-dusters of false accusations, and have asserted that the National Conference has used coercion against its political opponents. No Government or party can ever silence all opposition or stay in power through force and violence. The history of the people of Kashmir during the 1931-1947 period amply proves this. If the Kashmiris, totally unarmed as they were at the time could with such concentrated effort build up a successful national liberation movement in such a short period, is it reasonable to suggest that if the opposition had any numerical strength they could not, with the world watching the Kashmir elections, have asserted themselves if they had had any strength at all? It is quite obvious that there is no popular opposition worth the name. When it is realised that ever since the present administration came into being there have been no civil disturbances except one in Jammu, backed up by Hindu communalists of the groups referred to previously, it will be readily understood that this is a unique testimony to its popularity. No baton charges or police firings have taken place in the State during the last three years.

Other allegations refer to official interference and the use of unfair means, and the mass imprisonment of people opposing the National Conference. None of these charges square with common-sense and facts. In this connection it may be pointed out that, considering the vast frontiers of the State exposed to enemy activity, any Government has to be wide-awake to the dangers of mass infiltration. Under these circumstances, mass arrests on charges ranging from treason to illegal smuggling would have been normal and justified. But figures show that the jail inmates of Jammu and Kashmir on September 30th, 1951, numbered 432. When one realises that the total population is three millions, this is a small figure and, if anything a proof that the administration is exceptionally liberal.

This liberality is further underlined when we notice that out of the total jail inmates quoted above, 155 are detenus (141 from Kashmir and 14 from Jammu). Again, these detenus as the following figure analysis will show, have mostly been connected with the exigencies of war and the conditions created by the Cease Fire Line. For example, 37 are persons who infiltrated into the State to create internal disorder and instigate border raids; 31 are persons arrested for doing espionage for the enemy; 3 attempted to cross the border

without legal permits. Another 41 were indulging in illicit trade with the enemy area; 22 are habitual offenders, who had committed thefts, burglaries, and cattle lifting, and afterwards managed to destroy evidence against them by terrorisation and harassment of witnesses who came forward. This leaves a mere 14, detained for rumour mongering, with a view to create communal trouble, an offence which could not be tolerated in any secular State. It is also illuminating to note that out of the total of 155, as many as 87 are from the Baramulla district. This area borders on the Cease Fire Line where the proximity of the enemy zone and the great number of passes leading there provide a strong temptation for the enemy to breed fifth column activity.

The remaining convicts and undertrials fall under general criminal categories like murder, dacoity, theft and petty offences.

It would therefore be a travesty of the truth to say that the Government had tried to influence the course of the elections by imprisoning people. Most of the detenus are, anyway, illiterate and therefore unsuited to play any significant part in an election campaign.

In fact, such a latitude has been granted to the opposition during the campaign, in the name of fair elections and freedom of speech, that, taking unfair advantage of this, one election speaker had the temerity to say: "People must use lathis (sticks) against such thugs". This is clear incitement to violence, but in spite of this the Government has not arrested the speaker, who is still at large. What bigger proof is needed of freedom in electioneering? What other Government would have allowed it? There are scores of such examples on record.

The speaker quoted above belongs to the same organisation, the Praja Parishad, which is trying to use pressure tactics and threatening to boycott the Constituent Assembly elections in the Jammu Province. But nobody should be deceived by their manoeuvres. The Praja Parishad Party has got an ugly background. The leader of the Party, Mr. Premnath Dogra, and most of his following belong to the R. S. S. and many of them stained their hands with blood in the Jammu riots after the partition of India in 1947. When the State came down on them with a heavy hand, refusing to tolerate their rabid communalism, they converted themselves into the Praja Parishad to cover up their traces. The following quotation from an article by the Special Correspondent of the "Hindustan Times" New Delhi, of September 27, speaks for itself:

"Sitting in his house facing a large portrait of the R. S. S. Chief, Mr. Golwalkar, the Parishad leader (Mr. Premnath Dogra) talked of the difficulties of his community and enumerated complaints against the Abdullah Government".

It is therefore not a matter of surprise that the Praja Parishad should use the usual R. S. S. methods, of bullying and false accusations, when they see that honest methods cannot ensure them victory.

The Working Committee of this Party have passed a resolution on the 8th of October 1951, making a series of frivolous and in some respects infantile allegations against the Government in its conduct of the elections.

In the first instance, objections were made that constituencies had not been properly delimited. The Government had sanctioned delimitation of constituencies on the recommendations of a Delimitation Committee consisting of four senior and experienced Deputy Commissioners, two from each Province, presided over by a Judge of the High Court. Polling stations were fixed not only by Returning Officers and the Election Commissioner, but after round-table consultations with people of all parties in the areas concerned.

The dates for the elections were decided on strictly according to the climatic conditions prevailing in different parts of the State. Since our country stretches from the snow-encircled frontier areas, and the mountain valley of Kashmir, right down to the hot plains of Jammu, it is obvious that one election day would have been totally unsuitable for all three regions. India has also fixed different election day for the same reasons.

The most fantastic suggestion of the Praja Parishad is for the appointment of an interim authority to examine decisions with regard to the acceptance or rejection of nomination papers during the election. All election practice followed the world over gives a right of appeal after the elections through a regular Election Tribunal. That can also be done in this election. There seems no particular reason why we should depart from established usage in this matter.

In addition to these general clarifications of points at issue, the Government has issued a full statement answering all objections in detail.

To sum up, this has been a perfectly normal election. In the Kashmir Valley, where the invasion threat was and is at its grimmest, the Kashmiris have made a joint front with the National Conference, regarding the basic ideals of brotherhood for which they are fighting as more important than mere surface differences. Those who have faced Hitler in the West, when the mass of the people upheld coalition Governments against a common enemy, will understand why the Kashmiris have a spontaneous unity of approach. In Jammu the National Conference has faced its natural enemies, those who fight for a State dominated by one religion instead of the secular democratic ideal,

which makes no distinction between man and man, and religion and religion. Since it is the most popular party, the most deeply-rooted in the life of the people, it was in both these areas bound to succeed.

In fact, the simple reason why the National Conference is and has been successful is that its policy, programme and leadership are acceptable to the people of Jammu and Kashmir.

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